

OFFICE OF THE FEDERAL DEFENDER

EASTERN DISTRICT OF CALIFORNIA

801 I STREET, 3rd FLOOR

SACRAMENTO, CALIFORNIA 95814

(916) 498-5700 Fax: (916) 498-5710

Daniel J. Broderick
Federal Defender

Linda Harter
Chief Assistant Defender

January 7, 2008

FILED

JAN 10 2008

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BY _____ DEPUTY CLERK

Mr. Arthur Pirelli
Attorney at Law
143 Third Street
San Rafael, CA 94901

Re: **Dudney v. D.K. Sisto**
Cvi.S-02-2416-GEB

Dear Mr. Pirelli:

This will confirm your appointment as counsel by the Honorable Garland E. Burrell, U.S. Magistrate Judge, to represent the above-named appellant. You are attorney of record until such time as you are relieved or other action is taken to appoint a different attorney.

Enclosed is CJA 20 form, your Order of Appointment and Voucher for services rendered. Also enclosed is an instruction sheet discussing the use of the forms, together with sample forms for reporting court time. This will also provide a uniformity in the way attorneys report their time and services rendered.

If we may be of any further assistance regarding the processing of the enclosed form, preparation of form CJA 21 for expert services, or in reference to any other matter pertaining to this case, please feel free to call upon us at any time.

Very truly yours,



CYNTHIA L. COMPTON
CJA Panel Administrator

:clc
Enclosures

cc: Clerk's Office

1. CIR/CLAS/ST/INV. CODE 09C	2. PERSON REPRESENTED Dudney, Thomas	VOUCHER NUMBER		
3. MAG. DKT./DEF. NUMBER	4. DIST. DKT./DEF. NUMBER Civ.S-02-2416-GEB	5. APPEALS DKT./DEF. NUMBER 07-15570	6. OTHER DKT. NUMBER	
7. IN CASE/MATTER OF (Case Name) Dudney v. D.K. Sisto	8. PAYMENT CATEGORY Appeal	9. TYPE PERSON REPRESENTED Appellant	10. REPRESENTATION TYPE CA	
11. OFFENSE(S) CHARGED (Cite U.S. Code, Title & Section) If more than one offense, list up to five major offenses charged, according to severity of offense. Appeal of the denial of a habeas corpus				
12. ATTORNEY'S NAME (First Name, M.I., Last Name, including any middle) AND MAILING ADDRESS Arthur Pirelli, Esq. 143 Third Street San Rafael, CA 94901 Telephone Number: (415) 847-0409		13. COURT ORDER <input checked="" type="checkbox"/> A Appointing Counsel <input type="checkbox"/> F Sub For Federal Defender <input type="checkbox"/> P Sub For Panel Attorney Prior Attorney's Name _____ Appointment Date _____ <input type="checkbox"/> Because the above-named person represented has committed under oath or has otherwise satisfied this court that he or she (1) is financially unable to employ counsel and (2) does not wish to waive counsel, and because the interests of justice so require, the attorney whom name appears in Item 13 is appointed to represent this person at this proceeding. <input type="checkbox"/> Other (See instructions) Signature of Presiding Judicial Officer or By Order of the Court 12/21/07 Date of Order _____ Name Pro Tem Date _____ Requested or partial payment ordered from the person represented for this service at time of appointment. <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
14. NAME AND MAILING ADDRESS OF LAW FIRM (only provide per firm/office)				
CATEGORIES (Attach itemization of services with dates)	HOURS CLAIMED	TOTAL AMOUNT CLAIMED	MATH/TECH ADJUSTED HOURS	MATH/TECH ADJUSTED AMOUNT
15. I N C O U R T a. Arraignment and/or Plea b. Bail and Detention Hearings c. Motion Hearings d. Trial e. Sentencing Hearings f. Revocation Hearings g. Appeals Court h. Other (Specify on additional sheets)				
(Rate per hour = \$ 94)	TOTALS:			
16. O U T O F C O U R T a. Interviews and Conferences b. Obtaining and reviewing records c. Legal research and brief writing d. Travel time e. Investigative and Other work. (Specify on additional sheet)				
(Rate per hour = \$ 94)	TOTALS:			
17. Travel Expenses (lodging, parking, meals, mileage, etc.)				
18. Other Expenses: (other than expert, transcripts, etc.)				
19. CERTIFICATION OF ATTORNEY/PAYEE FOR THE PERIOD OF SERVICE FROM _____ TO _____	20. APPOINTMENT TERMINATION DATE IF OTHER THAN CASE COMPLETION		21. CASE DISPOSITION	
22. CLAIM STATUS <input type="checkbox"/> Final Payment <input type="checkbox"/> Interim Payment Number _____ <input type="checkbox"/> Supplemental Payment Have you previously applied to the court for compensation and/or reimbursement for this case? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, were you paid? <input type="checkbox"/> YES <input type="checkbox"/> NO Other than from the court, have you, or to your knowledge has anyone else, received payment (compensation or anything of value) from any other source in connection with this representation? <input type="checkbox"/> YES <input type="checkbox"/> NO If yes, give details on additional sheet. I swear or affirm the truth or correctness of the above statements.				
Signature of Attorney: _____ Date: _____				
23. IN COURT COMP.	24. OUT OF COURT COMP.	25. TRAVEL EXPENSES	26. OTHER EXPENSES	27. TOTAL AMT. APPR/CERT
28. SIGNATURE OF THE PRESIDING JUDICIAL OFFICER			DATE	29a. JUDGE / MAG. JUDGE CODE
30. IN COURT COMP.	31. OUT OF COURT COMP.	32. TRAVEL EXPENSES	33. OTHER EXPENSES	34. TOTAL AMT. APPROVED
34. SIGNATURE OF CHIEF JUDGE, COURT OF APPEALS (OR DELEGATE) Payment Approved by name of the attorney _____			DATE	34a. JUDGE CODE

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

DEC 13 2007

CATHY A. GATTERSON, CLERK
U.S. COURT OF APPEALS

THOMAS DUDNEY,

Petitioner - Appellant,

v.

D. K. SISTO, Warden; et al.,

Respondents - Appellees.

No. 07-15570

D.C. No. CV-02-02416-GEB
Eastern District of California,
Sacramento

ORDER

Before: Peter L. Shaw, Appellate Commissioner.

The motion to proceed in forma pauperis is granted. The Clerk shall amend the docket to reflect this status.

Appellant's motion for appointment of counsel in this habeas corpus appeal is granted. *See* 18 U.S.C. § 3006A(a)(2)(B); *Weygandt v. Look*, 718 F.2d 952, 954 (9th Cir. 1983) (per curiam). Counsel will be appointed by separate order.

The Clerk shall serve a copy of this order on Daniel Broderick, Federal Public Defender, 801 I Street, 3rd Floor, Sacramento, California 95814, who will locate appointed counsel. The district court shall provide the Clerk of this court with the name and address of appointed counsel by facsimile transmission (FAX: (415) 355-8111) within 14 days of locating counsel.

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07-15570

The opening brief and excerpts of record are due February 15, 2008; the answering brief is due March 17, 2008; and the optional reply brief is due within 14 days after service of the answering brief.

Peter L. Max

General Order 6.3(e)